

## SECTION IXB. LOWER FALLS VILLAGE COMMERCIAL DISTRICT.

*(Editor's Note: Amended 7/9/2014 to reflect amendments approved under Article 34 at 2014 ATM)*

- A. Purpose: To establish a commercial zoning district for Lower Falls that allows for commercial reinvestment and improvements, while protecting the quality of the immediately surrounding residential neighborhoods.
- B. In Lower Falls Village Commercial Districts, no new building or structure shall be constructed or used, in whole or in part, and no building or structure, or part thereof, shall be altered, enlarged, reconstructed or used, and no land shall be used, for any purpose except one or more of the following specified uses:
  - 1. Residence for more than two families, apartment house, apartment hotel, hotel or inn;
  - 2. Restaurant, cafe, outside dining area, or other eating place for the sale of any food or beverage; drive through windows where food or beverage is purchased by customers in vehicles are not allowed;
  - 3. Retail store having less than 10,000 square feet of floor area where all items for sale or rent are kept inside a building; including artisan shops for the creation of pottery, jewelry, clothing, sculpture, and similar artistic and craft activities;
  - 4. Theater, hall, club, or other place of assembly;
  - 5. Office, bank or other monetary institution; drive through windows where transactions are made by customers in vehicles are not allowed;
  - 6. Public or semi-public building;
  - 7. Such accessory uses as are customary in connection with any of the uses enumerated in clauses 1,2,3,4,5 and 6 are incidental thereto; such as the temporary parking of motor vehicles of customers and clients patronizing a use allowed in the district; drive through windows where business is conducted from vehicles shall not be considered as customary accessory use;
  - 8. Any additional use for which a special permit may be obtained in a specific case, as hereinafter provided in Section XXV. after the determination by the Special Permit Granting Authority that the proposed uses is similar to one or more of the uses specifically authorized by this section.
  - 9. Any of the following uses upon granting of a special permit as provided in Section XXV.
    - a. Sale or rental of tools and/or equipment involving outdoor storage.
    - b. Retail store having 10,000 or more square feet of floor area.
    - c. Registered Marijuana Dispensaries
- C. Project Approval

The provisions of Section XVIA. Project Approval. shall apply.

- D. Parking: Off-street parking shall be provided in accordance with Section XXI.
- E. Floor Area Ratio: The maximum floor area ratio as defined in Section IA. Definitions., shall be 0.30 except that the floor area ratio may be increased above 0.30 (but not in excess of 1.0) subject to the terms of a special permit granted by the Planning Board in accordance with the following:
  - 1. A report shall have been received from the Design Review Board finding that
    - a. the proposed project is consistent with the Wellesley Lower Falls Plan, Zoning, Urban Design and Landscape Guidelines ("Lower Falls Guidelines") adopted by the Planning Board which guidelines encourage retail activities at the street edge, pedestrian-oriented uses, improvement of building facades to enhance the pedestrian experience, improving the landscape and facilitating pedestrian access to and use of the river-front;
    - b. the proposed project is consistent with the design criteria listed in Section XXII.;
  - 2. The proposed project shall provide and/or contribute toward pedestrian and bicycle amenities and shall, as applicable, accommodate pedestrian and bicycle circulation and safety in accordance with the Lower Falls Guidelines and nationally recognized and accepted standards;
  - 3. The proposed project shall provide and/or contribute toward the improvement of pedestrian access to the river; and
  - 4. The proposed project shall provide and/or contribute toward the creation of a village center, town green or mini-park to further enhance the pedestrian experience in Lower Falls.